

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-314-C - ORDER NO. 98-728
SEPTEMBER 18, 1998

IN RE: Application of ITC^DeltaCom)	ORDER GRANTING ✓ MR
Communications, Inc. (FKA DeltaCom, Inc.))	FLEXIBLE
for a Certificate of Public Convenience and)	REGULATORY
Necessity to Provide Local Exchange)	TREATMENT FOR
Telecommunications Services in the State of)	LOCAL SERVICES
South Carolina.		

This matter comes before the Public Service Commission of South Carolina ("Commission") on the request of ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom ("ITC^DeltaCom") for flexible regulatory treatment of its local telecommunications services comparable to that authorized for NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C. ITC^DeltaCom requests that the Commission adopt for ITC^DeltaCom's competitive intrastate local exchange services a rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels. Further, ITC^DeltaCom requests that its local exchange service tariff filings be presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case the tariff filing would be suspended pending further Order of the Commission.

The Commission's Acting Executive Director instructed the Staff to publish a Notice of Filing of ITC^DeltaCom's request through the Commission's Subscription

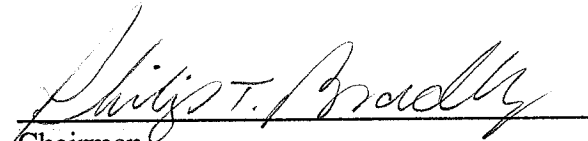
Service. The purpose of the Notice of Filing was to inform the interested parties of ITC^DeltaCom's request and of the manner and time in which to request participation in the proceeding. A letter was received from BellSouth Telecommunications, Inc. ("BellSouth") setting forth BellSouth's request to Intervene in the proceeding. Subsequent to filing its request for intervention, BellSouth informed the Commission by letter dated August 27, 1998, that BellSouth was not requesting a formal hearing on this matter but stated that if a hearing was scheduled that BellSouth would participate as a party of record. No other Petitions to Intervene or protests were received regarding ITC^DeltaCom's request.

Upon consideration of this matter, the Commission finds that ITC^DeltaCom's request should be approved. The Commission has not received opposition to the request, and the Commission has approved similar regulatory treatment for other carriers. Therefore, the Commission concludes that ITC^DeltaCom should be regulated in a manner similar to that methodology granted to NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C, as outlined above.

This Order shall remain in full force and effect until further Order of the
Commission.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Acting Executive Director

(SEAL)